Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 3825 /2004

PETITIONER

Dileram, aged about 40 years s/o. Ramprasad Bareth, Presently on the post of Mines Barrier Sipahi, Manpat, Boxite Surguja earlier, Drill man, (Driller) Mines, Mineral Development Corpn, Baradwar, Distt. Janjgir- Champa (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through : Secretary, Department of Mines & Mineral Development, D.K.S. Bhawan, Raipur (Chhattisgarh)

2. Managing Director, State Mining Corpor. Mining Limited, Raipur (Chhattisgarh)

3. Managing Director, State Mining Corpor. Mining Limited, Bhopal (Madhya Pradesh)

4. Union of India, through : Ministry of Home, State Reorganization Cell, New Delhi

5. Officer on Special Duty, (Administration) C.G. Mineral Development Corpon. Limited, New Shanti Nagar, Raipur (Chhattisgarh)

6. Collector, Surguja (Mining Section) (CG)

P.R. No. 3827/04 Presented by Shri ... dated ... 11/10/04

M.P. Agrawal Advocate is not available 11/10/04

R/C Shri Yadav 11-10-04 Clerk to Shri VINAY HARIT Senior Central Government Standing Counsel CHHATTISGARH HIGH COURT

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WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA

1) PARTICULARS OF THE PETITIONER:

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3825 of 2004

Petitioner Dileram

Versus

Respondents State of Chhattisgarh and others

Single Bench : Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri A. N. Bhakta, counsel for the petitioner.

Smt. Anju Ahuja, Deputy Government Advocate for the State.

ORAL ORDER

(5th April, 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. Learned counsel for the petitioner submits that the petitioner was employed as Drillman on daily wages basis by the respondent No. 2. He was regularized by order dated 4.2.1985 (Annexure P/1) as Drillman.

2. By order dated 7.4.2004 (Annexure P/2), the service of the petitioner was transferred on deputation to the State of Chhattisgarh/respondent No. 1. Admittedly, the petitioner was getting pay scale of Rs. 750-12-870-15-945/- in the parent department. On deputation, he was given salary at the pay scale of Rs. 2550-3200/-.

3. According to learned counsel for the petitioner, one other person, who was getting pay scale of Rs. 950-1400/- was also sent on deputation to the State of Chhattisgarh and is getting pay scale of Rs. 3050-4590/-.

4. It appears that the petitioner and other person namely Dindayal Sahu, who were getting less amount are being paid more amount by

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the State Government. Lien of the petitioner continues with the parent department i.e. State Mining Corporation. The grievance of the petitioner is that how Shri Dindayal is getting more amounts than the petitioner. Shri Dindayal Sahu was getting higher pay scale even in the parent department i.e. State Mining Corporation. In the same proportion, he is getting more and better pay scale by the Government in government department. The petitioner has failed to make out any ground of discrimination, arbitrariness and unreasonableness.

5. In view of the above-stated facts, this petition fails and is dismissed summarily at admission stage itself. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu